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Of Attorneys for Reorganized Debtor

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

Blue Moon Property Group, LLC,  
Reorganized Debtor

Case No. 22-31873-thp11

VANDEN BOS & CHAPMAN, LLP'S  
NOTICE AND MOTION TO  
WITHDRAW AS ATTORNEY OF  
RECORD FOR REORGANIZED  
DEBTOR

LBR 9013-1(b)(1) Parties: N/A

**NOTICE**

If you oppose the proposed course of action or relief sought in this motion, you must file a written objection with the bankruptcy court no later than fourteen (14) days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice or hearing. Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the Clerk of Court at the U.S. Bankruptcy Court, 1050 SW 6th Ave #700, Portland, OR 97204, by the deadline specified above or it may not be considered. You must also serve the objection on Christopher N. Coyle, Vanden Bos & Chapman, LLP, 319 SW Washington St., Ste. 520, Portland, OR 97204 within that same time. If the Court sets a hearing, you will receive a separate notice listing the hearing date, time, and other relevant information.

## MOTION

Vanden Bos & Chapman, LLP and its attorneys (“VBC”) moves the Court pursuant to Oregon Rules of Professional Conduct Rule 1.16 for an order substantially in the form of the Proposed Order attached hereto as **Exhibit 1**, authorizing it to withdraw as counsel for Reorganized Debtor Blue Moon Property Group, LLC (the “Debtor”). This motion is supported by the attached Declaration of Douglas R. Ricks and the files and pleadings of record herein.

Pursuant to LBR 9010-1(f)(1)(A), VBC and Debtor have engaged in substantial correspondence and telephone discussions regarding the deteriorating attorney-client relationship. VBC provided the Debtor with notice of its intended withdrawal and its reasons for such withdrawal in writing on July 11, 2023, prior to filing this Motion. The Debtor has not provided informed consent to the withdrawal, though the Debtor has stated that it will be retaining new counsel within ten (10) days of July 11, 2023.

Pursuant to LBR 9010-1(f)(1)(B), the last-known contact information for the Debtor is as follows:

Blue Moon Property Group, LLC  
17600 Pacific Hwy Unit 338  
Marylhurst, OR 97036  
Phone: (503) 675-9955 (Debtor's Manager, Ronald Sapp)  
Email: [Not Authorized by Debtor]

Pursuant to LBR 9010-1(f)(2)(A), the relief sought is withdrawal as counsel for the Reorganized Debtor.

LBR 9010-1(f)(1)(B) is inapplicable; this is not a joint-representation case.

Pursuant to LBR 9010-1(f)(1)(C), the pending matters and proceedings are as follows:

<b>Deadline</b>	<b>Matter</b>
<b><i>None.</i></b>	

There are also scheduled hearings in this matter.

<b>Hearing Date</b>	<b>Matter</b>
<b>July 12, 2023 (hearing)</b>	Amended Notice of Hearing re: Objection to Claim 2 of Lake Oswego Corporation (Docket #119)

Pursuant to LBR 9010-1(f)(1)(D), withdrawal is sought pursuant to Oregon Rules of Professional Conduct 1.16(b)(1), (4), (6), and (7). As set forth in the attached Declaration of Douglas R. Ricks, the Debtor has insisted upon taking actions with which VBC has a fundamental disagreement, the representation has been rendered unreasonably difficult by the client, and other good cause for withdrawal exists.

LBRs 9010-1(f)(1)(E), (F) are inapplicable (as this is neither a chapter 7 nor chapter 13 case). Approved pre-confirmation services have been paid. Unpaid post-confirmation services (to the extent approved) through withdrawal will be sought through separate final application and paid as an appropriate administrative expense pursuant to the terms of the confirmed Chapter 11, Subchapter V, Plan (Dated: 02/07/23).

WHEREFORE, VBC respectfully requests that the Court enter the Proposed Order attached hereto as **Exhibit 1**.

DATED: July 12, 2023

VANDEN BOS & CHAPMAN, LLP

By: /s/Christopher N. Coyle  
Christopher N. Coyle OSB# 073501  
Of Attorneys for Reorganized Debtor

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

Blue Moon Property Group, LLC,  
Reorganized Debtor

Case No. 22-31873-thp11

ORDER ON VANDEN BOS & CHAPMAN,  
LLP'S MOTION TO WITHDRAW AS  
ATTORNEY OF RECORD FOR  
REORGANIZED DEBTOR

THIS MATTER having come before the Court on Vanden Bos & Chapman, LLP's Motion to Withdraw as Attorney of Record for Reorganized Debtor (the "Motion"), due notice having been given, and the Court, having reviewed the Motion, the supporting Declaration of Douglas R. Ricks, and the files and pleadings of record herein, finding good cause appearing,

IT IS ORDERED that the Motion is GRANTED; that Vanden Bos & Chapman, LLP and its attorneys ("VBC") be permitted to withdraw as Reorganized Debtor's counsel herein.

###

**PRESENTED BY:**

VANDEN BOS & CHAPMAN, LLP

By: /s/Christopher N. Coyle  
Christopher N. Coyle OSB# 073501

**LBR 9021-1 CERTIFICATION**

I certify that I have complied with the requirements of LBR 9021-1(a); the proposed form of order was served with the Motion.

By: /s/Christopher N. Coyle  
Christopher N. Coyle OSB# 073501

**First Class Mail:**

Blue Moon Property Group, LLC  
c/o Ronnie Sapp, Manager  
17600 Pacific Hwy Unit 338  
Marylhurst, OR 97036

Blue Moon Property Group  
c/o Ronald Sapp, RA  
4035 SE 52nd Ave. Ste. A  
Portland, OR 97206

**Electronic Mail:**

The foregoing was served on all CM/ECF participants through the Court's Case Management/Electronic Case File system.

Christopher N. Coyle OSB# 073501  
VANDEN BOS & CHAPMAN, LLP  
319 SW Washington St., Ste. 520  
Portland, OR 97204  
Telephone: 503-241-4869  
Fax: 503-241-3731

Of Attorneys for Debtor-in-Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF OREGON

In re

Blue Moon Property Group, LLC,  
Reorganized Debtor

Case No. 22-31873-thp11

DECLARATION OF DOUGLAS R. RICKS  
IN SUPPORT OF VANDEN BOS &  
CHAPMAN, LLP'S MOTION TO  
WITHDRAW AS ATTORNEY OF  
RECORD FOR REORGANIZED  
DEBTOR

I, Douglas R. Ricks, declare and state as follows:

1. I am one of the attorneys ("VBC") for the Reorganized Debtor in the above case and make this Declaration in support of Vanden Bos & Chapman, LLP's Motion to Withdraw as Attorney of Record for Reorganized Debtor.

2. VBC and Debtor have engaged in substantial correspondence and telephone discussions regarding the deteriorating attorney-client relationship. VBC provided the Debtor with notice of its intended withdrawal and its reasons for such withdrawal in writing on July 11, 2023, prior to filing this Motion. The Debtor has not provided informed consent to the withdrawal.

3. Following confirmation of the Reorganized Debtor's Chapter 11, Subchapter V, Plan (Dated: 02/07/2023) (the "Plan"), there has been a growing breakdown in the attorney-

client relationship which, at this time, has resulted into an irretrievable breakdown in the attorney-client relationship. VBC and Reorganized Debtor have engaged in substantial correspondence and telephone discussions regarding the attorney-client relationship.

4. Withdrawal is permitted pursuant to Oregon Rule of Professional Conduct 1.16(b)(1), (4), (6), and (7).

5. Withdrawal can be accomplished without material adverse effect on the interests of the Reorganized Debtor.

6. By and through the Designated Person, Manager Ronnie Sapp, the Reorganized Debtor has insisted on taking actions with which I have a fundamental disagreement within the meaning of ORPC 1.16(b)(4). Further, the representation has been rendered unreasonably difficult, and, if continued, would result in an unreasonable financial burden on VBC, both within the meaning of ORPC 1.16(b)(6).

7. The breakdown in communications and the relationship with the Designated Person also constitutes other good cause for withdrawal within the meaning of ORPC 1.16(b)(7).

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand the above statements are made for use as evidence in Court and are subject to penalty for perjury.

Dated: July 12, 2023

/s/ Douglas R. Ricks  
Douglas R. Ricks, Declarant



CERTIFICATE - TRUE COPY

I hereby certify that I prepared the foregoing copy of the foregoing documents and have carefully compared each with the original thereof and each is a correct copy therefrom and of the whole thereof.

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing documents on:

Blue Moon Property Group, LLC  
c/o Ronald Sapp, Manager  
17600 Pacific Hwy Unit 338  
Marylhurst, OR 97036

Blue Moon Property Group  
c/o Ronald Sapp, RA  
4035 SE 52<sup>nd</sup> Ave. Ste. A  
Portland, OR 97206

by mailing a copy of the above-named document to each of the above in a sealed envelope addressed to the same at his, her, or their last known address. Each envelope was deposited in the Post Office at Portland, Oregon, on the above date, postage prepaid.

I hereby certify that the foregoing was served on all CM/ECF participants through the Court's Case Management/Electronic Case File system on the date set forth below.

Dated: July 12, 2023

VANDEN BOS & CHAPMAN, LLP

By: /s/Christopher N. Coyle  
Christopher N. Coyle OSB# 073501  
Of Attorneys for Debtor-in-Possession